

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JODIE DEREK GRAGG,

Plaintiff,

v.

GRAYS HARBOR SHERIFFS
DEPARTMENT *et al.*,

Defendants.

Case No. C07-5499FDB

ORDER GRANTING
PLAINTIFF'S MOTION FOR A
CONTINUANCE AND RE-
NOTING DEFENDANTS
MOTIONS TO DISMISS FOR
FEBRUARY 22, 2008

This 42 U.S.C. § 1983 Civil Rights has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. Before the court are two motions to dismiss filed by the defendants, City of Elma and Grays Harbor County Sheriff's Office (Dkt # 20 and 21). Plaintiff has filed several documents in response. Plaintiff informs the court he has an attorney who is going to represent him, but the attorney is not yet licensed to practice in this court (Dkt # 26 and 31). Plaintiff asks for a continuance.

Further, plaintiff alleges he was never properly served with a copy of the Grays Harbor Sheriff's Offices motion to dismiss (Dkt # 27). The City of Elma opposes plaintiff's motion for a continuance (Dkt # 28). A continuance is in order. This will allow Grays Harbor County to address any defects in service of

1 their motion and allow plaintiff a chance to obtain counsel. Defendants motions to dismiss, (Dkt # 20 and
2 21) will be re-noted for **February 22, 2008**. This gives counsel time to appear, become familiar with the
3 record, and file any pleading counsel believes appropriate.

4 If counsel has not appeared by **February 22, 2008**, the motions will be heard as soon as possible
5 thereafter. The Clerk is directed to send plaintiff and counsel for defendants a copy of this Order and re-
6 note (Dkt. # 20 and 21) to **February 22, 2008**.

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8 DATED this 9 day of January, 2008.

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10 /S/ J. Kelley Arnold
11 J. Kelley Arnold
United States Magistrate Judge
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